

Progress Report on the Police Reform and Reinvention Collaborative

Background

On June 12, 2020, Governor Andrew Cuomo issued Executive Order 203 which required local governments across New York State to undertake a review of community needs provided by their local police department, evaluate the department's current policies and practices, and adopt a policing reform plan by April 1st, 2021.

In response, the City of Troy established a Troy Police Reform & Reinvention Collaborative (PRRC) to assist in the process outlined in the Governor's Executive Order. Following a series of public listening sessions and discussions the PRRC issued a report recommending a number of actions and areas for future exploration. The PRRC report was adopted by the City Council in March of 2021.

Update – May 2023

What follows is a list of the recommendations made by the PRRC and an assessment of progress made to date.

Recommendation 1:

Continue to engage with Kaleel Jamison Consulting Group (KJCG) to identify and remove barriers to better outcomes for policing in all our communities.

Issue: Several commenters raised concerns about bias in the Police Department: personal bias, institutional bias and/or systemic bias. Discussions of bias and racism are fraught with emotion even among people of good intention. This is often the result of people understanding terms differently. What few would dispute though is that we all have our own biases, and most institutions are imbued with biases that are often camouflaged and difficult to discern. The greatest challenge for each of us is to understand those biases and make the conscious effort to prevent them from guiding our actions and reactions.

Response: We recognize the effects that systemic racism and other biases have had on the people of our city and our institutions and have partnered with KJCG to help understand these biases and reduce the impacts they have on the lives of our residents. Our work with KJCG is a multi-phased two-year effort, beginning with an assessment and review of all aspects of the Troy Police Department. The approach will include reviewing the alignment between our stated values and desired community interactions, and our practices on both individual and organizational levels. KJCG working with the police will propose and implement changes and training to create a tighter alignment and better outcomes using conscious actions to counteract bias and to enhance community centered policing.

KJCG is an internationally recognized firm that over the past five decades has worked with organizations on long-term, strategic culture change, assisting organizations in creating inclusive, collaborative workplaces. The KJCG-Troy PD work began in January 2021.

May 2023 Status: The work with KJCG continues and has been extended beyond its original end date. Meaningful participation has occurred across the entire department. A more detailed report will be provided at the May 16, Community Partnership Meeting.

Recommendation 2:

Develop a web-based complaint form with 'plain language' instructions and a description of the process so that the public understands how the process works and what to expect.

Issue: A number of comments were made to the effect that the current complaint process is cumbersome, not easy to navigate and too difficult to undertake. Public feedback also noted that the process for filing a formal complaint is unclear. This can leave an individual who submits a complaint to the department with an unclear understanding of how complaints were addressed. This could undermine both the transparency and accountability within the Department.

Response: the City will make an online version of our complaint form available on the Troy Police Department website (www.troypd.org). The web-form complaint form will include simple instructions as well as an explanation of the process to improve public understanding. Versions will be provided in both English and Spanish. Hard copies will also be available at the Police Station, City Hall, libraries, food banks, and other community organizations and sites for those who might not have internet access or prefer not to use the computer.

May 2023 Status: This work has been completed. It is linked to several pages on the City's website and contains information about the process so that individuals filing a complaint know what to expect.

Recommendation 3:

Reconstitute the Police Objective Review Board.

Issue: Several public comments correctly pointed out that the Police Objective Review Board (PORB, or the Board) has been inactive for some time. One commentator, a previous PORB appointee, stated a concern about a power imbalance on the Board that resulted in board members losing interest in serving. The absence of a well-structured review board undermines both the transparency and accountability of the Department.

Response: The operating procedures for the review board have been rewritten in a manner that assures the Board's independence from both the Department and the Administration. In addition, clear roles and responsibilities are laid out in the operating procedures in an effort to restore a proper balance and clarify that City employees who serve on the Board do so only in an advisory capacity, not as voting members.

A semi-annual report requirement has been written into the procedures to track the efficacy of the Board as well as Board members' experiences. This feedback will inform future changes to the Board's structure, authority, and operations to ensure its efficacy and independence.

An open call for those interested in serving on the Board was made and a Board was constituted from those responses with input from the Troy Branch of the NAACP and a community advocate (and previous council member). Due to the COVID-19 pandemic, training was delayed last fall/winter. The training will be completed this spring whereupon the Board will begin operations. The Mayor and City Council will work together to amend the City Code to accomplish the following:

- Provide broader statutory representation on the Board to increase diversity, including persons impacted by police.
- Allow appointments to be made by the mayor, the council, and citizen groups.
- TPD will be represented by one (1) member from the Internal Affairs Bureau as a non-voting member. Other officers may be invited for information gathering, and union representatives shall have an opportunity to present on cases they are involved in.
- A report on any financial and budgetary requirements needed to accomplish the goals of this board shall be delivered to the Mayor and Council by September 2021, and annually thereafter.

The City Council may, in accordance with the City Charter, exercise its subpoena power to assist the PORB in carrying out its functions as may be necessary.

May 2023 Status: The Board has been meeting monthly since 2021 and has established its set of operating protocols. All existing members have been provided with extensive trainings including participation in our Reality Based Trainings. All members have participated in Ride-alongs. Reports for the years 2021 and 2022 have been provided to the City Council as per enabling legislation. A web page is in the process of being developed which will include agendas, minutes, reports, and other information related to the Board.

Recommendation 4:

Design a policy and process to make disciplinary records more easily accessible to the public.

Issue: Several comments were made to the effect that the disciplinary records of members of the department ought to be made available to the public. Various suggestions were offered on how that ought to be accomplished.

Response: We agree that transparency and accountability are served by the release of disciplinary records. If an officer is disciplined for any type of misconduct, the public has a right to the records of the officer's infractions. Simultaneously, as well conducted officers have a substantial interest in their reputations; we believe such officers would be well served by public access to their training and commendation records. Recent changes to section 50-a of the NYS Civil Rights Law allow for the public release of these records. The City of Troy will release all non-privileged personnel records in a redacted, but machine-readable form, on the City, Police Department, and/or PORB web pages.

May 2023 Status: We just recently unveiled a new website that will allow for posting of more materials. We'll work with Corporation Counsel to develop a legal framework for reporting.

Recommendation 5: Provide all police officers with Emotionally Distressed Persons Response Team training (EDPRT). Issue: Across New York State and the nation there have been calls for alternatives to police response to individuals experiencing mental health crises. While law enforcement officers receive the highest level of training to prepare for a variety of interactions and emergency situations, there are unique challenges created during incidents involving individuals experiencing a mental health episode.

Far too many examples have surfaced across the country in recent years in which individuals suffering a mental health episode are met with public safety officials seemingly lacking in the training necessary for successful outcomes.

Response: Over the past several years the City has offered EDPRT in service training on a voluntary basis. The latest training was held in December 2020. This intense 40-hour training, offered by Retired Sgt. Eric Weaver, formerly of the Rochester Police Department, destigmatizes mental illness and provides an array of appropriate responses to individuals needing help in the community. To date roughly 50% of the department has completed the course.

This training will become mandatory and over the next two years all remaining officers will complete the course. All new officers joining the force will be required to complete the training within two years of joining the force.

May 2023 Status: We continue to offer this course not only to our officers but those from other departments in and around our City. To date over 95% of officers have completed the training. Those that have not completed the training are the new officers just coming out of the Academy who will attend in the routine course of scheduling the trainings. This training has proved invaluable for all of our officers but particularly for those in the Community Services Bureau.

Recommendation 6:

Subject to appropriate budgetary authority, create a crisis intervention team for mental health calls and family/neighbor disputes in the City of Troy.

Issue: There currently exists a mobile response team that can be called upon by a responding officer in times of need. The limitations to this model are three-fold:

1. The officer is still the first responding individual potentially setting up a dynamic of confrontation or fear;
2. This does not reduce the 'footprint' of policing in the community; and
3. This particular model serves a five-county area making its availability unreliable and its response times slow.

Presently the TPD responds to 900 to 1,000 mental health calls each year.

Response: Subject to appropriate budgetary authority, within one year, establish a team of mental health and mediation professionals in the City of Troy and Rensselaer County to establish a crisis intervention team for mental health and family/neighbor dispute calls. The team should at a minimum quantify the need in the city, review various successful models across the country and develop some preliminary cost estimates for a preferred model.

May 2023 Status: The Department has formed a two-person team that responds to mental health calls. Trained in EDPRT these individuals network with providers in the community including: Joseph's House, Unity House, Smartian Hospital, Rensselaer County Department of Mental Health and Northern Rivers to address unmet mental health issues that are manifesting themselves in the community and are of the type likely to generate calls for police intervention. Assistance is provided in a compassionate and supportive manner designed to produce the best outcome for the affected individual. While still in its early stage this initiative has garnered great support from community mental health providers and is being viewed as a model in surrounding communities.

Recommendation 7:

Establish a Diversity and Inclusion Committee to assist in the recruitment, successful hiring and retention of individuals to make the City's workforce more representative of the demographic make-up of the City.

Issue: Minorities are woefully underrepresented among the ranks of the City workforce, including the Police Force. The reality is that most, if not all, of the City's departments lack critical diversity. For purposes of the Police Department, it is widely accepted that diversity reflective of the community served is an essential characteristic to building trust within the community.

Response: Establishment of a Diversity and Inclusion Committee to assist in recruitment, successful hiring and retention of individuals to make the City's workforce more representative of the demographic make-up of the City.

The Committee shall include, among others, the City's Personnel Director, a representative from the Mayor's Office, a representative from the NAACP, and representatives from the City's two school districts as well as Hudson Valley Final Report | City of Troy Police Reform and Reinvention Collaborative | Page 23 Community College (HVCC). At least one-third of the membership of this committee shall be comprised of members of the BIPOC community.

The Committee's first order of business is to advise the Mayor as to whether the committee is sufficient to carry out this charge or if the City needs to create a position of Diversity and Inclusion Officer in order to effectively advance the goals of the committee. Ideally this determination would be made in time to be accommodated in the 2022 budget process, if necessary.

May 2023 Status: The Department has formed the Committee on Recruitment, Retention and Engagement. The committee members are a diverse group of Officers that include, African

American, Hispanic and female officers. The committee is led by Captain Anthony Conyers. This committee has participated in a variety of recruitment efforts at the local colleges including a regional recruitment event aimed at increasing female recruitment. The Troy Police Department continues to recruit for diversity. In the past 5 years the TPD has increased diversity in the department by 16 officers representing females, African Americans, and Hispanic persons.

Recommendation 8:

Revamp the Troy Police Department website to provide more transparency to the public regarding use of force, training, various policies, crime statistics as well as resources and opportunities available in the community.

Issue: Public comments collected during listening sessions indicated a lack of knowledge about many aspects of policing in the City. Numerous suggestions were made that are current practice or policy, and in some cases have been in place for years. This is a clear illustration that the City has not been as transparent as we could have been.

Response: Creation of a new municipal webpage with expanded content taking into account the various misperceptions we heard as well as the requests for additional information made known to us. This website shall include:

- Publication of all up to date General Orders that have no compelling public safety interest in remaining confidential, along with explainers on critical General Orders such as use of force, discipline, and anti-harassment and discrimination policy for public consumption.
- Procedural documentation detailing what people can expect in common interactions with police.
- Publication of personnel records, pursuant to Recommendation 4.
- At least quarterly publication of data we can collect or reasonably obtain, including but not limited to: call statistics and arrest records, including aggregate data breaking down traffic stops, arrests, resisting arrest charges, and use of force incidents by race, ethnicity, age, and gender.
- Annual publication of use of force incidents as a percentage of interactions with each of the following groups: Black, all non-White, White, and all interactions.

May 2023 Status: The City has just recently gone live with a new website that will allow us to add more materials. Important policies such as Use of Force are already posted, and we will begin posting additional policies and orders.

Recommendation 9:

Policies should be updated to require that officers provide a business card and reason for an interaction with the public.

Issue: Concerns were raised about individuals being unable to identify officers with whom they come into contact. Residents should always have a clear understanding of why police are engaging with them. To this end, policies should be updated to require that officers provide not only a business card, but also a reason for the interaction. The Right to Know Act was cited during public comments as a good framework for professional interaction.

Response: Under the Department's Code of Conduct it is already a requirement that uniformed officers provide their name and badge number, and other requested information in a respectful manner. To further facilitate this, going forward all officers will be issued business cards with their name, rank, and contact information, as well as links to the Troy Police Department website (www.troypd.org), and crime tip form. Officers will be directed to provide these cards, and a reason for the interaction, as soon as practical in interactions with the public.

May 2023 Status: Done and complete.

Recommendation 10:

Develop a Citizen Police Academy as a means to provide greater transparency and education regarding policing operations in the Troy Police Department.

Issue: A number of comments both during and preceding the PRRC process indicate a lack of familiarity with many aspects of the Police Department. As noted previously this strongly suggests a need for increased communication and transparency in police operations to bolster public trust.

Response: The Citizen Police Academy is an ideal way to expose civilians to the inner workings of the police department. It is a program conducted over 12 weeks during which civilian participants are exposed to many aspects of policing in the City, including: statutory and case law that guide policing, training requirements, use of force strictures, interplay between policing and prosecution, domestic violence and mental health issues at play in the community, among other topics. Citizens participate in ride-alongs to observe officers on patrol.

The entire program is designed to provide participants a real life view of how officers and the community interact providing much requested transparency of police operations.

May 2023 Status: With full staffing we are now in a position to pilot this program. A Captain has been assigned and a course outline has been developed.

Recommendation 11:

Research the feasibility of creating a Police Athletic League (or a similar styled entity).

Issue: Trust is built on relationships. Several comments were offered that Police Officers need to have more positive interactions with members of the community, particularly youth. Workload demands make this difficult to achieve on a consistent basis during the workday. The Police

Athletic League (PAL) programs in other communities were pointed to as a potential model for Troy. These Leagues generally operate as a stand-alone non-profit entity.

Response: The Troy Police Department is very open to the idea of a similar program in Troy, perhaps not limited to solely athletic programs – more of a Police Activity League. Some research is necessary to better understand the legal structure and cost of such a program and whether it makes sense to have a stand-alone entity as opposed to partnering with existing programs. Sources of funding will also need to be researched and secured.

May 2023 Status: As stated above the creation of a Police Athletic League is most often established as a 503c organization and not formally run by a police department. The department is in favor of positive interactions with our youth, and we attend and participate in sporting events at the Troy Boys and Girls Club. We also interact at both high schools providing security and engagement at football and basketball games. The CORRE committee established a reading program at PS 2 and Carroll Hill School. In an effort to further engage the youth and community as a whole CORRE has had cookouts at both schools and other locations throughout the city. Another way in which the TPD engages the youth is through our Cadet program.

Recommendation 12:

Create a trauma response team activated for the community. Organizations gather at a traumatic event to help distribute information but also to help on site as needed.

Issue: Trauma refers to experiences that can cause intense physical and psychological stress reactions. It can refer to a single event, multiple events, or a set of circumstances that is experienced by an individual as physically and emotionally harmful or threatening and that may have lasting adverse effects on the individual's physical, social, emotional, or spiritual well-being. Experiencing deeply disturbing events or situations can affect the way a person learns, plans, and interacts with others. Violence in our communities creates trauma not just for victims but the community as a whole. It degrades our interpersonal relationships and undermines the sense of interconnectedness that is essential in healthy communities.

In the event of a tragic incident at a school or the death of a student, school districts regularly provide grief counselors to assist students in managing the grief and trauma. No such coordinated effort exists in communities following incidents of violence. The trauma builds in the community, layer upon layer with each successive event.

Resources do exist in the community though they are not focused on these sorts of situations and are not known by community members who need them.

Response: Preliminary research reveals a number of well-established programs across the country. A committee will be formed to:

- Connect the services that do exist with the individuals and neighborhoods in need;
- Assess the level of unmet need; and
- Aided by further research of various possible approaches, make a recommendation to address unmet needs.

The committee should involve, among others, St. Peter's Health Partners, County Mental Health and the Troy and Lansingburgh School Districts.

May 2023 Status: The Department interacts closely with and makes referrals to St. Peter's Crime Victims program as well as Unity House victim services programs.

Recommendation 13:

Convene a work group to explore options to divert youthful offenders out of the formal criminal justice system.

Issue: Research has shown that many youth in the juvenile justice system are there for relatively minor offenses, have significant mental health issues, and end up in out-of-home placement or on probation by default.

Diversion programs are alternatives to initial or continued formal processing of youth in the juvenile delinquency system. Their purpose is to redirect youthful offenders from the justice system through programming, supervision, and supports. The benefits of diversion programs have been well documented, and include:

- Diverting youth who have committed minor offenses away from the system and towards community-based treatment and support options is a more appropriate response than confinement, and a more productive way of addressing and preventing future delinquency.
- Formally processing youth through the juvenile justice system does more harm than good by perpetuating delinquency through "labeling" and exposing youth to circumstances within juvenile and adult correctional institutions that may actually increase delinquency.
- Reduction of premature involvement in the "deep end" of the juvenile delinquency system.
- Reduction in out-of-home placements, especially for younger children;
- maintaining youth connectedness and engagement in the community by keeping the youth in their environment; and
- Reduction in cost compared to court processing and/or secure placement.
- Diversion can be an integral part of a graduated continuum of options for youth already involved or at risk of becoming involved with the juvenile justice system.

Response: Within one month, a work group will be formed to explore the interest in and feasibility of creating a formal program to divert youth out of the traditional criminal justice system. Participants will need to include the District Attorney's Office, the Court system, County Probation as well as community advocates, formerly incarcerated individuals, and workforce development organizations. A preliminary report shall be provided to the Council and Mayor by September 2021, for inclusion in the 2022 budget.

(Note: This activity goes beyond mere policing but was included based on the passion of the comments. While TPD will play a role in this activity it is critically dependent on support of other governmental entities.)

May 2023 Status: Limited conversations have occurred with community partners. Resourcing continues to be a notable stumbling block. While *Raise the Age* has contributed to a reduction of youth finding their way into the adult criminal justice system this particular concern admittedly needs more of the City's attention.

Recommendation 14:

Convene a work group to explore options to expand re-entry services.

Issue: Re-entry services are a critical and necessary service in the transition from incarceration to a productive life in the community. Comments made to and by members of the steering committee highlight the scarcity of resources currently available in Rensselaer County. By all accounts existing programs are well-regarded, but existing resources (budgetary or staffing) are extremely tight and are not always available in the County. Additionally, indications are that state funding may be reduced for re-entry programs.

Response: Within one month, a work group will be formed to explore the existing gaps in re-entry services in the City of Troy. Participants will need to include the District Attorney's Office, the Court system, County Probation as well as community advocates, formerly incarcerated individuals, and workforce development organizations. A preliminary report shall be provided to the Council and Mayor by September 2021, for inclusion in the 2022 budget.

(Note: This activity also goes beyond mere policing yet is included based on the passion of the comments. While the PD will play a role in this activity it is critically dependent on support of other governmental entities.)

May 2023 Status: The TPD is an active participant in the Rensselaer County DA's Re-entry Task Force.

Recommendation 15:

Establish an Oversight Committee and Explore Staffing Requirements to Track Implementation of PRRC Recommendations

Issue: The forgoing recommendations all occur over varying time frames in the months ahead. Progress should be monitored to ensure that it stays on track and ensure that it achieves the desired results (and modified if it does not).

Response: An oversight committee will be formed with the express purpose of monitoring the progress and efficacy of the foregoing recommendations. The Committee should meet no less than quarterly and will produce an annual report to the Mayor and City Council. The annual report will make note of progress made to create greater transparency, accountability and trust in our police operations, as well as any obstacles in policy or otherwise that must be overcome. The oversight committee shall compile staffing and budgetary recommendations for

implementation in the 2022 budget and report on these recommendations to the Mayor and City Council by September 2021.

May 2023 Status: A number of the foregoing recommendations have been undertaken and are completed or in progress. A smaller number rely on external partners and their resources to advance. In other words, they are not within the traditional bailiwick of police functions.

Rather than an oversight committee as this recommendation envisions, perhaps this would be more useful if reframed in such a manner as to provide a mechanism for periodic higher-level discussions involving the Administration, the Department and residents around the collaborative nature of ensuring safer communities, and in the process promoting more open dialogue and transparency.

Recommendation 16:

The administration and the Police Chief will design and cost out additional services to include a walking detail (2 officers) in each Zone for a flexible 8 hour shift 5 days per week. Ideally these details will be assigned to the CPU. The proposal will be presented to the Council in advance of the 2022 budget development process.

Issue: Numerous public comments were received requesting police officers to walk beats in particular neighborhoods. Residents see this as an effective method to build personal relationships and connections between themselves and members of the Department. Given call volume it is difficult to consistently carve out the time for patrol details to engage in this type of activity. Individual officers outside of patrol division whose focus is to walk or bike neighborhoods would be the most viable option to accomplish this.

Response: The Mayor and Police Chief will design a detail to provide this service, put together cost estimates and present to the Council for consideration as part of the 2022 budget. Officers will be assigned to specific zones. Weather permitting, the officers will be on foot or bike and will be assigned to attend neighborhood meetings, social gatherings and community sporting events with the express intent of developing relationships with members of the community.

May 2023 Status: The City has allocated funding for and hired 6 additional officers to work solely as community police officers in designated neighborhoods.

As a general rule these officers are not in the rotation to respond to calls for assistance through the 911 system. Instead, they are embedded in neighborhoods working hand in hand with residents to address matters of concern raised by neighborhood residents. During the warmer weather their work is complemented by the presence of the TPD Mobile Command Center which is an attraction to the younger members of the community and sends a message of partnership to those coming into the community for illicit purposes.
